IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

LETTERS PATENT APPEAL NO. 123 OF 2005
IN
WRIT PETITION NO. 3786 OF 2002

Mr.Ajit Shripad Kulkarni . Appellant.
V/s
The Cosmoss Coop. Urban Bank Ltd... .... Respondents

Mr.T.R. Yadav, with N.A. Kulkarni, Adv. for the appellant.

Ms.Jaya Joi with Mrs.M.H. Doshi for respondents.

CORAM: V.G. PALSHIKAR
AND
D.B. BHOSALE, JJ.
21.10.2005.

PC:

Request for adjournment is rejected. No Appeal under clause 15 of the Letters Patent of this Court is maintainable against an order passed under Article 227 of the Constitution of India. The order passed by the learned Single Judge which is impugned is merely issuing Rule on writ petition and granting interim relief. Mere mention of Article 226 cannot create a right in the litigant to choose the Forum or create a right to an appeal. Appeal against such orders not being tenable, this appeal is dismissed.

21.10.2005